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AMEMBASSY MINSK SENDS

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TAGS: PREL PHUM PINR BO LH
SUBJECT: JUDGE ORDERS CONTINUANCE IN KIM CASE, TRIAL TO BE JOINED WITH OTHERS

REF: A. MINSK 099
¶B. MINSK 219
¶C. MINSK 221

Classified By: A/DCM Louis J. Crishock for reason 1.4 (d)

¶1. (C) After opening formalities, Andrey Kim's trial for an alleged assault against a police officer during a January entrepreneurs' demonstration was halted April 1. The presiding judge ordered both a continuance in the case and the joining of this trial with another trial of Kim and numerous other defendants on charges of organizing or participating in an event that disrupts the public order. Civil society activists present at the trial told A/DCM that they expected the trial would reconvene within two weeks.

Leading Opposition Figures Come Out to Support Kim

¶2. (C) Many leading figures from civil society and the democratic opposition attended the trial as a show of moral support for the 22-year old Kim. Former presidential candidate and leader of "For Freedom" Aleksandr Milinkevich, Belarusian Popular Front (BPF) Chair Levon Barshchevskiy, United Civic Party Chair Anatoliy Lebedko, and former political prisoner and leader of the Belarusian Social Democratic Party-Narodnaya Gramada Nikolay Statkevich were just a few of the politicians and activists present to support Kim. In addition to A/DCM, diplomats from the French local EU presidency and the OSCE observed the proceedings.

Kim Seems Strong; The Evidence Against Him, Not So Strong

¶3. (C) Kim was seated in the courtroom's holding cell for most of the proceedings. Dressed in a black t-shirt with a bible passage written on it, Kim -- who has been incarcerated since January 21 (ref A) -- appeared to be in good health and spirits and answered the judge's questions in a strong voice.

¶4. (C) Enira Bronitskaya, a former political prisoner and leader of the NGO Solidarnost, told A/DCM that the decision to order a continuance and to join Kim's trial to other proceedings came as no surprise. The GOB's case against Kim, in Bronitskaya's opinion, was weak. She intimated that she had seen the tape the GOB intends to introduce as evidence against Kim and it shows little to support the assault charge.

Spetsnaz Troops Drive Kim Supporters from the Street

¶5. (C) During a break in the proceedings, youth activists

earlier turned away from the trial due to lack of space assembled on a sidewalk across the street from the court and unfurled a "Freedom For Andrey Kim" banner and chanted "Freedom" and "Andrey, We are with you." Soon after, Spetsnaz troops forcibly removed them from the area.

Comment

¶6. (C) Unfortunately -- both for him and for Belarus -- the outcome of this trial has little to do with the strength of the evidence against Kim. His conviction is all but a certainty, with a long sentence a strong possibility: on the assault charge alone he could receive six years behind bars. The regime's willingness to violently suppress peaceful demonstrators (ref B), to persecute the free press (ref C) and to create new political prisoners should put to rest any notion of its readiness for substantial reform.

Moore
CLOUD